

EXHIBIT 11

Performance Evaluation System
State of New Jersey
Department of Human Services
North Jersey Developmental Center

Ratee Name: <u>Phyllis Atkinson</u>	SSN: <u>5754 6131</u>	Title: <u>KT</u>	Unit/Location: <u>HCC</u>
F: <u>Michael Buonagurio</u>	Charge nurse		Unit/Location: <u>HCC</u>

Significant Events:

① Mrs. Atkinson works professionally toward ensuring a smooth transition of receiving outside medical trips & processing them in a timely fashion for the entire grounds. ② Mrs. Atkinson prepares the medical calendar in advance & distributes copies to the necessary areas. ③ Mrs. Atkinson also is involved at times, the duties of P/Y the mail for HCC & delivery of mail to administration bldg. when other secretaries are unable. She willingly assist when necessary in P/Y payroll checks of other employees are unable to do it.

☒ Agree ☐ Disagree Initials PA Date 9/28/04

Justification for Interim Evaluation:

Mrs. Atkinson has the primary responsibility of coordinating in-coming off campus medical trips. She also prepares the weekly med trip calendar for distribution to the various disciplines at NSDC. Mrs. Atkinson also at times assist in the HCC answering the phone and at times prepares the necessary paperwork required to transfer clients out - emergencies.

☒ Agree ☐ Disagree Initials PA

Specific Areas Identified for Development:

① Continue, with the assistance of nursing/medical staff to improve scheduling of all medical trips in a timely fashion. ② Enter & update as needed, names, medical information in the computer data sheets. ③ To keep current with mandatory HIPAA/OPRA Training/regulations.

☒ Agree ☐ Disagree Initials PA

Ratee Comments:



Interim Evaluation Rating

Satisfactory



Unsatisfactory



EXHIBIT 12

Rec'd 2/28/05

December 1, 2004

TO: Mrs Roxanne Lotts, DNS

FROM: Ms Phyllis Atkinson, PCT

RE: LETTER OF COMPLAINT

On December 1, 2004 at 5:45pm an unusually incident occurred with Ms Carol Wolke, ADNS and myself, I was threaten and harass by Ms Wolke in the presence of other Co-workers.

I approached Ms Wolke in the Supervisor's office in the Health Care-center to inform her about a client's appointment, the reason why I was informing her about this particular client was that in the past she would help prepare this client for her scheduled appointments. When I approached Ms Wolke about the client, she rudely blurted out to me that "I will not be helping you out anymore because, I am tired of you calling me a racist." I stated back to her that I did not call her a racist.

As the conversation continued on I reminded Ms Wolke that this is a work- related matter, Ms Wolke stated to me that she did not care that it was a work-related mater and she asked me to leave her alone. I told her fine, I don't need your help with this anyway.

Ms Wolke continued the conversation by accusing me of calling her a racist, she stated to me if I keep calling her a racist she would fix me. (What ever that meant) I took it to be a threat and miss-use of her authority against me. I stated back to her that I did not call her a racist, but I do feel like she discriminates against me like a racist because of past incidents that has occurred with her, I told her she couldn't control the way I feel.

Ms Wolke continue to verbally threaten me; She repeated to me over and over again I will fix you just wait and see.

As an employee for the state of New Jersey I would like to exercise my right to be protected from threats and harassment from Administrative. I have made several verbal complaints about her behavior to you, and I have given you a written complaint about it also. I am being discriminated against by Ms Wolke her threats are causing me to have anxiety attacks

I would appreciate your attention in this matter as soon as possible.

Thank you,

ATKINSON EEO 89



EXHIBIT 13

Phyllis
Merry Christmas
Happy Healthy and
a peaceful
new year to my
friend of 20+
years. Time to
make amends
during the season
Carol



EXHIBIT 14

STATEMENT OF: Rizalina Orlanes
TAKEN BY: Ed McCabe
TAKEN AT: North Jersey Developmental Center
DATE: August 25, 2005

Q. I am Ed McCabe from the Department of Human Services (DHS) Equal Employment Opportunity (EEO) Office and I am investigating allegations of employment discrimination against Carole Wolke. You are being interviewed as a witness in this investigation. As such:

1. You are required to answer all questions truthfully;
2. Your responses will be kept confidential to the degree the law allows;
3. You are required to maintain the confidentiality of this interview and details of this investigation unless ordered otherwise by competent authority;
4. You are protected by law from retaliation. If you think you are the victim of retaliation, please contact the North Regional Office of EEO at 973.648.3237. This office is located at 153 Halsey Street, 7th floor, Newark, NJ 07102;
5. You are prohibited from retaliating against anyone involved in this investigation.

Do you understand?

A. Yes

Q. What is your full name?

A. Rizalina V. Orlanes

Q. Where do you work now?

A. Nursing Supervisor for Cottages 8, 9, 10, and 11, day shift.

Q. What is your job title?

A. Supervisor of Nursing Services

Q. What is your date of hire?

A. 1994

Q. What is your work and home e-mail address, if any?

A. None.

Q. Did you hear Carole Wolke tell Phyllis Atkinson, "I will fix you?"

A. Yes. It was words to that effect. They were both arguing. They were both emotional. Carole said it.

Q. When was this?

A. Sometime late last year.



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(K) RM

Q. What was the context of the statement?

A. I don't know.

Q. Did it appear to be a threat?

A. No. I don't know what she meant by it. It could be that she would fix her job performance or she would be disciplined for something.

Q. Does Carole treat black employees worse than white ones?

A. I think there are problems with the way Carole handles things but I don't think it is related to race.

I have reviewed this statement and made corrections and additions as I saw fit. The foregoing is the truth and it is all I know about this incident. I understand this is a confidential investigation and I am not to reveal any of its details without authorization. I also understand that any form of retaliation is prohibited.

INTERVIEWEE: Rigalyn Carlanes

INTERVIEWER: E. M. McCabe

DATE: 8/25/05

EXHIBIT 15

STATEMENT OF: Sheila McCray
 TAKEN BY: Ed McCabe
 TAKEN AT: North Jersey Developmental Center
 DATE: June 7, 2005

Q. I am Ed McCabe from the Department of Human Services (DHS) Equal Employment Opportunity (EEO) Office and I am investigating allegations of employment discrimination against Carole Wolke. You are being interviewed as a witness in this investigation. As such:

1. You are required to answer all questions truthfully;
2. Your responses will be kept confidential to the degree the law allows;
3. You are required to maintain the confidentiality of this interview and details of this investigation unless ordered otherwise by competent authority;
4. You are protected by law from retaliation. If you think you are the victim of retaliation, please contact the North Regional Office of EEO at 973.648.3237. This office is located at 153 Halsey Street, 7th floor, Newark, NJ 07102;
5. You are prohibited from retaliating against anyone involved in this investigation.

Do you understand?

A. Yes.

Q. What is your full name?

A. Sheila McCray

Q. Where do you work now?

A. Health Care Center

Q. What is your job title?

A. Principal Clerk Transcriber

Q. What is your work and home e-mail address, if any?

A. sheila.mccray@dhs.state.nj.us

Q. Did you work with Phylis Atkinson and Carole Wolke?

A. Yes.

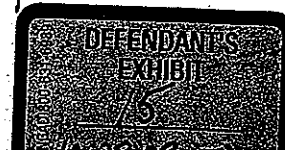
Q. Do you feel you have been discriminated against in any way by Ms. Wolke?

A. No.

Q. Was there a problem with your not getting a desk while a white employee did?

A. No. I didn't need a desk, but I got one soon after Ms. Corrado.

EM JMC



Q. Did you witness and discriminatory behavior against Ms. Atkinson?
A. No.

Q. Is there anything you would like to add?
A. No.

I have reviewed this statement and made corrections and additions as I saw fit. The foregoing is the truth and it is all I know about this incident. I understand this is a confidential investigation and I am not to reveal any of its details without authorization. I also understand that any form of retaliation is prohibited.

INTERVIEWER:

Shirley McCray

INTERVIEWER:

E. M. M. Eads

DATE:

6/2/05